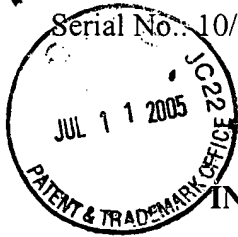


Serial No.: 10/671,163

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Leitch et al.

Docket No.: M02A232

Serial No: 10/671,163

Art Unit: 1724

Filed: September 25, 2003

For: CO₂ RECOVERY PROCESS FOR SUPERCRITICAL EXTRACTION

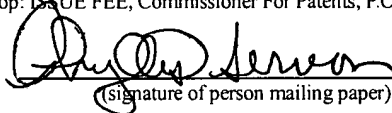
Mail Stop: ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate of Mailing

I hereby certify that this correspondence is being deposited on the date shown below with the United States Postal Service as first class mail in an envelope with sufficient postage addressed to: Mail Stop: ISSUE FEE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Phyllis Servon

(type or print name of person signing paper)


(signature of person mailing paper)

July 7, 2005

(date)

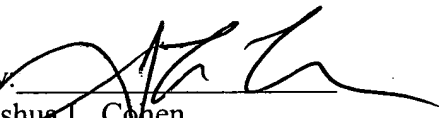
Sir:

COMMENTS ON STATEMENT OF REASON FOR ALLOWANCE (37 C.F.R. § 1.104 (e))

According to 37 C.F.R. § 1.104 (e), if the Examiner believes the record of prosecution as a whole does not make clear his or her reasons for allowing a claim or claims, the Examiner may set forth such reasoning (emphasis added). It respectfully is submitted that the record as a whole in the present case speaks for itself and requires no issuance of the Examiner's Reason for Allowance, and accordingly any reason for allowance promulgated by the Examiner is not to impart any negative inferences or otherwise limit the scope of the allowed claims.

MPEP 1302.14 states in part that the setting forth of reasons for allowance is not mandatory on the Examiner's part. This section further notes that in general, the Examiner's actions and the applicants replies make evident the Reasons for Allowance, satisfying "the record as a whole" proviso of the Rule. It respectfully is submitted that such is the case with the present application, particularly as the requirements of 37 C.F.R. 1.111 (b) and (c) have been fully compiled with; thereby making the reasons for allowance evident from the official record.

Respectfully submitted,

By: 
Joshua L. Cohen
Attorney of Record
Reg. No. 34,307
TEL: (908) 771-6167
FAX: (908) 771-6159

Date: July 7, 2005

The BOC Group, Inc.
Legal Services-IP Dept.
575 Mountain Ave.
Murray Hill, NJ 07974